

STATE OF CONNECTICUT
BOARD OF EXAMINERS FOR NURSING

Department of Public Health and Addiction Services v.

Sandra Stone, L.P.N.

License No. 022483

300 Appomattox Street, #7

Hopewell VA 23860

CASE PETITION NO. 930701-11-029

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing (hereinafter the "Board") was presented by the Department of Public Health and Addiction Services (hereinafter the "Department") with a Statement of Charges dated August 26, 1993. (Department Exhibit 1) The Statement of Charges alleged, in one (1) count, violation of Section 20-99 of the General Statutes of Connecticut by Sandra Stone (hereinafter the "Respondent").

The Board issued a Notice of Hearing dated September 8, 1993 scheduling a hearing for October 20, 1993. (Department Exhibit 1) The hearing was continued and notice was sent to the Respondent by certified mail return receipt requested and by first class mail, postage prepaid, that the hearing would be January 13, 1994. (Hearing Transcript, January 13, 1994, pp. 5-6; Department Exhibit 1) A hearing took place on January 13, 1994 in Room 2-B, Legislative Office Building, Capitol Avenue, Hartford, Connecticut. (Hearing Transcript, January 13, 1994, p. 2)

Each member of the Board involved in this decision attests that he/she was present at the hearing or has reviewed the record, and that this decision is based entirely on the record and his/her specialized professional knowledge in evaluating the evidence.

FACTS

Based on the testimony given and the exhibits offered into evidence, the Board made the following findings of fact:

1. Sandra Stone, hereinafter referred to as the Respondent, was issued Licensed Practical Nurse License Number 022483 on April 4, 1988 and was the holder of said license at all times referenced in the Statement of Charges. The Respondent's license expired on June 30, 1992 and has not been renewed. (Department Exhibit 1)
2. Pursuant to the General Statutes of Connecticut, Section 4-182(c), the Respondent was provided full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license. (Department Exhibit 1)
3. The Notice of Hearing and Statement of Charges were sent by first class mail, postage prepaid to the Respondent's address (Department Exhibit 1) (Hearing Transcript, January 13, 1994, p.20), and that notice of the continuance of the hearing was sent by certified mail, return receipt request and by first class mail, postage prepaid. Id.
4. That the Statement of Charges was signed and mailed to the Respondent within eighteen (18) months of the expiration of the Respondent's licensed practical nurse license. (Department Exhibit 1)
5. The Respondent was not present during the hearing and was not represented by counsel. (Hearing Transcript, January 13, 1994, p. 2)

6. That on or about October 3, 1991 the Respondent, while licensed as a licensed practical nurse, worked as a licensed practical nurse at New Lakeview Convalescent Home, Cheshire, Connecticut. (Department Exhibit 1)
7. That on or about October 3, 1991, while responsible for providing nursing care to patient N.D., the Respondent ordered that the patient not be given breakfast and lunch because the patient refused to get out of bed. (Department Exhibit 1) (Hearing Transcript, January 13, 1994, pp. 7-8)
8. That the patient went to the dining room for his meals most days. When he refused to get up, it was because he wanted to stay in bed in the privacy of his room and masturbate. (Hearing Transcript, January 13, 1994, p. 12)
9. That the Respondent's employment at New Lakeview Convalescent Home was terminated on or about October 3, 1991. (Department Exhibit 1) (Hearing Transcript, January 13, 1994, p.13)

DISCUSSION AND CONCLUSIONS

In consideration of the above Findings of Fact, the following conclusions are rendered:

Sandra Stone held a valid licensed practical nurse license in the State of Connecticut at all times referenced in the Statement of Charges.

The Notice of Hearing and Statement of Charges sufficiently provided information as mandated by Sections 4-177 and 4-182 of the General Statutes of Connecticut . The hearing was held in accordance with Chapters 54 and 368a of the General Statutes of Connecticut as well as Sections 19-2a-1 through 19-2a-30 of the Regulations of Connecticut State Agencies. The Notice of Hearing, Statement of Charges and the hearing process provided the Respondent with the opportunity to demonstrate compliance with all lawful requirements for the retention of her license as required by Section 4-182(c) of the General Statutes of Connecticut.

The FIRST COUNT of the Statement of Charges alleges that on or about October 3, 1991 while working as a licensed practical nurse at New Lakeview Convalescent Home, Cheshire, Connecticut, the Respondent inappropriately withheld nourishment from resident N.D.

The Respondent was not present at the hearing to answer to this charge. (Hearing Transcript, January 13, 1994, p. 2)

The General Statutes of Connecticut Section 20-99(b) prohibits conduct which fails to conform to the accepted standards of the nursing profession, which includes "... (2) illegal conduct, incompetence or negligence in carrying out usual nursing functions...."

Based on its findings the Board concludes that the Respondent's conduct as specified in the First Count is proven and that said conduct violates Section 20-99(b)(2) of the General Statutes of Connecticut. Therefore, the Respondent is subject to disciplinary action pursuant to Section 19a-17 of the General Statutes of Connecticut.

ORDER

Pursuant to its authority under the General Statutes of Connecticut Sections 19a-17 and 20-99, the Board of Examiners for Nursing hereby orders:

1. That for the First Count, the Respondent's licensed practical nurse license, No. 022483, is reprimanded.
2. This Memorandum of Decision becomes effective on the date it is signed by the Chairperson of the Board of Examiners for Nursing.

The Board of Examiners for Nursing hereby informs the Respondent, Sandra Stone and the Department of Public Health and Addiction Services of the State of Connecticut of this decision.

Dated at Hartford, Connecticut, this 27th day of April, 1994.

BOARD OF EXAMINERS FOR NURSING

By

Janice Thibodeau

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